

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

IN RE: NATIONAL FOOTBALL LEAGUE PLAYERS' CONCUSSION INJURY LITIGATION
THIS DOCUMENT RELATES TO: Claimant <b>Mario Bailey</b> SPID <b>950000131</b>

No. 2:12-md-02323-AB MDL No. 2323
Hon. Anita B. Brody

**PETITION TO ESTABLISH ATTORNEY'S LIEN**

Petitioner, Weisberg & Associates, PA, pursuant to an executed Retainer for legal services, comes now and states as follows:

1. Petitioner is an attorney at law admitted to practice before the courts of Florida, and files this Petition to establish a lien for attorney's fees, as set forth hereinafter.
2. On or about July 3, 2016, Petitioner, Weisberg & Associates, PA, was retained and employed by the Claimant pursuant to a Retainer for legal services to pursue a claim for injuries and damages allegedly caused by the National Football League's conduct associated with football related concussions, head, and brain injuries.
3. The specifics of the agreement for legal services are as follows: "In consideration of the services rendered and to be rendered to the Client by the Law Firm, the Client, hereby grants, sells, assigns, and conveys to Firm as its compensation herein, an undivided interest in Clients award/claim as follows: twenty percent (20%) of the award plus expenses and costs... If and only if a recover is obtained in [Client's] claim for damages, [Client] agree[s] to pay in addition to the attorney fee, all out of pocket expenses incurred to investigate and document my case, including, but not limited to investiga[tive] fees, costs, medical reports and opinions... This amount should not exceed \$10,000 (ten thousand dollars)."
4. When Petitioner entered into contract with Claimant, Petitioner entered into the risk and expense of the litigation.
5. From the date the Petitioner was authorized to proceed on behalf of the Claimant, the Petitioner has actively and diligently investigated, prepared, and pursued Claimant's claims, and has taken all steps necessary to prosecute those claims, including, but not limited to, correspondence and communications with the client, preparation and review of client's factual and legal circumstances, retaining experts, drafting and providing client updates, analyzing Claimant's medical status and need for medical testing, setting up medical testing, and paying for travel arrangements for said testing, etc.

6. In fact, Claimant tested with Dr. Serina Hoover in California.
7. Thus, Petitioner, in addition to costs and expenses totaling \$3,500.00, has earned his full contingency retainer of 20%.
8. As of the date of this petition, Petitioner, Weisberg & Associates, PA, is the counsel of records for Claimants herein, and has not been terminated for "good cause."
9. The Petitioner claims the right to have a lien for attorney's fees and expenses established and enforced upon any sums to be derived from any settlement or judgment obtained or to be obtained by Claimant in this action.

WHEREFORE, the Petitioner prays:

1. That an attorney's lien be established;
2. That the amount of the lien be determined;
3. That the Court order that Petitioner be entitled to enforce an attorney's lien against the proceeds to be derived from any settlement in this action, as a first-priority lienholder, in the face of any other valid lien;
4. That the NFL Concussion Settlement Claims Administrator be prohibited from paying to the Claimant, or any other lienholder any settlement proceeds until said attorney's fees and cost lien has been satisfied; and
5. For such other further relief as this Court deems just.

Dated July 5, 2017

Respectfully submitted,  
**WEISBERG & ASSOCIATES,**  
**Attorneys at Law**  
/s/ Lawrence Weisberg  
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Individual Class Members

**CERTIFICATE OF SERVICE**

I CERTIFY that the above has been filed with the Clerk of Court's EF/ECM system, which will provide service to all parties designated to receive service this July 5, 2017.

/s/ Lawrence Weisberg  
Lawrence Weisberg, Esq.